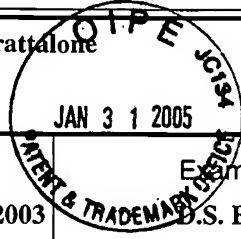


IFW \$

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)
(Small Entity)

Docket No.
P25,565 A USA

In Re Application Of: **Nicholas Frattalone**



Application No. 10/722,730	Filing Date November 26, 2003	Examiner D.S. Felten	Customer No. 23307	Group Art Unit 3624	Confirmation No. 7353
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Invention: **LONG TERM PROPERTY ACQUISITION AND PAYMENT METHOD**

02/08/2005 HMARZ11 00000075 10722730

01 FC:2253

510.00 OP

COMMISSIONER FOR PATENTS:

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of **August 24, 2004** in the above-identified application.
Date

The requested extension is as follows (check time period desired):

☐ One month ☐ Two months ☒ Three months ☐ Four months ☐ Five months

from: **November 24, 2004**

Date

until: **February 24, 2005**

Date

☐ Applicant claims small entity status. See 37 CFR 1.27

The fee for the extension of time is **\$510** and is to be paid as follows:

☐ A check in the amount of the fee is enclosed.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **19-5425**

☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **19-5425**

☒ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Signature

Dated: **January 26, 2005**

Peter J. Butch III, Reg No. 32,203

Synnestvedt Lechner & Woodbridge LLP
112 Nassau Street
P.O. Box 592
Princeton, NJ 08542-0532

I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on
January 26, 2005

(Date)

Signature of Person Mailing Correspondence

Andrea Cojocar

Typed or Printed Name of Person Mailing Correspondence

cc: **N. Frattalone**

Base Rent	Annual	Cash outlay over term of lease (3 % CPI Increases Included)						Seventh 5 Yrs	Eighth 5 Yrs
		First 5 Yrs	Second 5 Yrs	Third 5 Yrs	Fourth 5 Yrs	Fifth 5 Yrs	Sixth 5 Yrs		
\$2,000	\$24,000	\$138,000	\$158,700	\$182,505	\$209,881	\$241,363	\$277,567		
		5 Yrs	10 Yrs	15 Yrs	20 Yrs	25 Yrs	30 Yrs		
Cummulative Rent Payments		\$138,000	\$296,700	\$479,205	\$689,086	\$930,449	\$1,208,016		
Multiple Cell Tower Sites		100	200	300	400	500	600	700	800
Total Savings		\$120,615,590	\$241,417,181	\$362,218,771	\$483,020,362	\$603,821,952	\$724,623,543	\$845,425,133	\$966,226,724
Annualized 30 Year Savings		\$4,020,520	\$8,047,239	\$12,073,959	\$16,100,679	\$20,127,398	\$24,154,118	\$28,180,838	\$32,207,557

Co-Locate Fees \$1,000	Monthly Income	Annual Income	First 5 Yrs	Second 10 Yrs	Third 15 Yrs	Fourth 20 Yrs	Fifth 25 Yrs	Sixth 30 Yrs	
1st Co Locator	\$1,000	\$12,000	\$60,000	\$120,000	\$180,000	\$240,000	\$300,000	\$360,000	
2nd Co Locator	\$2,000	\$24,000	\$120,000	\$240,000	\$360,000	\$480,000	\$600,000	\$720,000	
3rd Co Locator	\$3,000	\$36,000	\$180,000	\$360,000	\$540,000	\$720,000	\$900,000	\$1,080,000	
4th Co Locator	\$4,000	\$48,000	\$240,000	\$480,000	\$720,000	\$960,000	\$1,200,000	\$1,440,000	
5th Co Locator	\$5,000	\$60,000	\$300,000	\$600,000	\$900,000	\$1,200,000	\$1,500,000	\$1,800,000	
Cell Tower Sites X 30 Yrs		100	200	300	400	500	600	700	800
1st Co Locator		\$36,000,000	\$72,000,000	\$108,000,000	\$144,000,000	\$180,000,000	\$216,000,000	\$252,000,000	\$288,000,000
2nd Co Locator		\$72,000,000	\$144,000,000	\$216,000,000	\$288,000,000	\$360,000,000	\$432,000,000	\$504,000,000	\$576,000,000
3rd Co Locator		\$108,000,000	\$216,000,000	\$324,000,000	\$432,000,000	\$540,000,000	\$648,000,000	\$756,000,000	\$864,000,000
4th Co Locator		\$144,000,000	\$288,000,000	\$432,000,000	\$576,000,000	\$720,000,000	\$864,000,000	\$1,008,000,000	\$1,152,000,000
5th Co Locator		\$180,000,000	\$360,000,000	\$540,000,000	\$720,000,000	\$900,000,000	\$1,080,000,000	\$1,260,000,000	\$1,440,000,000

Total Combined Benefits, Cumulative over thirty Years For Multiple Sites									
		100	200	300	400	500	600	700	800
1st Co Locator		\$156,615,590	\$313,417,181	\$470,218,771	\$627,020,362	\$783,821,952	\$940,623,543	\$1,097,425,133	\$1,254,226,724
2nd Co Locator		\$192,615,590	\$385,417,181	\$578,218,771	\$771,020,362	\$963,821,952	\$1,156,623,543	\$1,349,425,133	\$1,542,226,724
3rd Co Locator		\$228,615,590	\$457,417,181	\$686,218,771	\$915,020,362	\$1,143,821,952	\$1,372,623,543	\$1,601,425,133	\$1,830,226,724
4th Co Locator		\$264,615,590	\$529,417,181	\$794,218,771	\$1,059,020,362	\$1,323,821,952	\$1,588,623,543	\$1,853,425,133	\$2,118,226,724
5th Co Locator		\$300,615,590	\$601,417,181	\$902,218,771	\$1,203,020,362	\$1,503,821,952	\$1,804,623,543	\$2,105,425,133	\$2,406,226,724

30 Year Annualized Combined Benefit of Potential Income and Rent Savings									
		100	200	300	400	500	600	700	800
1st Co Locator		\$5,220,520	\$10,447,239	\$15,673,959	\$20,900,679	\$26,127,398	\$31,354,118	\$36,580,838	\$41,807,557
2nd Co Locator		\$6,420,520	\$12,847,239	\$19,273,959	\$25,700,679	\$32,127,398	\$38,554,118	\$44,980,838	\$51,407,557
3rd Co Locator		\$7,620,520	\$15,247,239	\$22,873,959	\$30,500,679	\$38,127,398	\$45,754,118	\$53,380,838	\$61,007,557
4th Co Locator		\$8,820,520	\$17,647,239	\$26,473,959	\$35,300,679	\$44,127,398	\$52,954,118	\$61,780,838	\$70,607,557
5th Co Locator		\$10,020,520	\$20,047,239	\$30,073,959	\$40,100,679	\$50,127,398	\$60,154,118	\$70,180,838	\$80,207,557

Offer to Land Owner by Borrowing

Amount	\$250,000	\$300,000	\$350,000	\$400,000	\$450,000	\$500,000
Interest	7%	7%	7%	7%	7%	7%
Term	7	7	7	7	7	7
Principal & Interest	\$3,712	\$4,455	\$5,197	\$5,940	\$6,682	\$7,425
Annual Cost	\$44,548	\$53,458	\$62,368	\$71,277	\$80,187	\$89,097
Total Cost	\$311,838	\$374,205	\$436,573	\$498,941	\$561,309	\$623,676

Negotiate all cash upfront offer for long term use of land

All offers should include an all cash payment, declining through the 7th year etc.

Purchase Bonds @ a discount offer face value to land owner
pledge bonds as collateral or exchange them to landowner

The use of the available cash created by this strategy is not factored
CPI not factored for the 5 & 7th years

Purchase 0 Coupon Bond @ 70 % Discount 80 % of face value of \$175,000= 140,000	\$250,000	Actual Cost to Company if bonds are purchased and borrowed against to pay all cash to land owner	\$140,000
Payment to Land Owner in Cash or Stocks	\$110,000	Cost to Purchase Bond Principal & Interest Paid on Loan	\$175,000 \$300,552
Mo. Cost to Amortize \$105,000 over 7 years @ 6% interest 84 months	\$1,533 84	Total Cost of Transaction Value of Bond at Maturity	\$475,552 \$250,000
	\$128,772	Real Cost over 7 Years	\$225,552
Mo. Cost to Amortize \$140,000 over 7 years @ 6% interest 84 months	\$2,045 84	Actual Cost to Company for Borrowing the cash	
Principal & Interest	\$171,780	Borrow cash and pay upfront Amortize @ 6 % for 7 Yrs	\$250,000
		Real Cost over 7 Years	\$306,768

Base Rent	Annual	Cash outlay over term of lease (3 % CPI Increases Included)						Sixth 5 Yrs	Seventh 5 Yrs	Eighth 5 Yrs
		First 5 Yrs	Second 5 Yrs	Third 5 Yrs	Fourth 5 Yrs	Fifth 5 Yrs	Sixth 5 Yrs			
\$2,000	\$24,000	\$138,000	\$158,700	\$182,505	\$209,881	\$241,363	\$277,567			
		5 Yrs	10 Yrs	15 Yrs	20 Yrs	25 Yrs	30 Yrs			
Cummulative Rent Payments		138000	296700	479205	689085.75	930448.613	1208015.9			
Number of Sites		1	2	3	4	5	6	7	8	
30 Yr Savings minus 1st 7 yrs rent pd		\$1,208,016	\$2,416,032	\$3,624,048	\$4,832,064	\$6,040,080	\$7,248,095	\$8,456,111	\$9,664,127	
Annualized 30 Year Savings		\$40,267	\$80,534	\$120,802	\$161,069	\$201,336	\$241,603	\$281,870	\$322,138	
Co-Location Rent 2000	Monthly Income	Annual Income	First 5 Yrs	Second 10 Yrs	Third 15 Yrs	Fourth 20 Yrs	Fifth 25 Yrs	Sixth 30 Yrs		
1st Co Locator	\$2,000	\$24,000	\$120,000	\$240,000	\$360,000	\$480,000	\$600,000	\$720,000		
2nd Co Locator	\$4,000	\$48,000	\$240,000	\$480,000	\$720,000	\$960,000	\$1,200,000	\$1,440,000		
3rd Co Locator	\$6,000	\$72,000	\$360,000	\$720,000	\$1,080,000	\$1,440,000	\$1,800,000	\$2,160,000		
4th Co Locator	\$8,000	\$96,000	\$480,000	\$960,000	\$1,440,000	\$1,920,000	\$2,400,000	\$2,880,000		
5th Co Locator	\$10,000	\$120,000	\$600,000	\$1,200,000	\$1,800,000	\$2,400,000	\$3,000,000	\$3,600,000		
Cell Tower Sites X 30 Yrs		1	2	3	4	5	6	7	8	
1st Co Locator		\$720,000	\$1,440,000	\$2,160,000	\$2,880,000	\$3,600,000	\$4,320,000	\$5,040,000	\$5,760,000	
2nd Co Locator		\$1,440,000	\$2,880,000	\$4,320,000	\$5,760,000	\$7,200,000	\$8,640,000	\$10,080,000	\$11,520,000	
3rd Co Locator		\$2,160,000	\$4,320,000	\$6,480,000	\$8,640,000	\$10,800,000	\$12,960,000	\$15,120,000	\$17,280,000	
4th Co Locator		\$2,880,000	\$5,760,000	\$8,640,000	\$11,520,000	\$14,400,000	\$17,280,000	\$20,160,000	\$23,040,000	
5th Co Locator		\$3,600,000	\$7,200,000	\$10,800,000	\$14,400,000	\$18,000,000	\$21,600,000	\$25,200,000	\$28,800,000	
Total Combined Benefits, Cumulative over thirty Years For Multiple Sites										
		1	2	3	4	5	6	7	8	
1st Co Locator		\$1,928,016	\$3,856,032	\$5,784,048	\$7,712,064	\$9,640,080	\$11,568,095	\$13,496,111	\$15,424,127	
2nd Co Locator		\$2,648,016	\$5,296,032	\$7,944,048	\$10,592,064	\$13,240,080	\$15,888,095	\$18,536,111	\$21,184,127	
3rd Co Locator		\$3,368,016	\$6,736,032	\$10,104,048	\$13,472,064	\$16,840,080	\$20,208,095	\$23,576,111	\$26,944,127	
4th Co Locator		\$4,088,016	\$8,176,032	\$12,264,048	\$16,352,064	\$20,440,080	\$24,528,095	\$28,616,111	\$32,704,127	
5th Co Locator		\$4,808,016	\$9,616,032	\$14,424,048	\$19,232,064	\$24,040,080	\$28,848,095	\$33,656,111	\$38,464,127	
30 Year Annualized Combined Benefit of Potential Income Gain and Rent Savings										
		1	2	3	4	5	6	7	8	
1st Co Locator		\$64,267	\$128,534	\$192,802	\$257,069	\$321,336	\$385,603	\$449,870	\$514,138	
2nd Co Locator		\$88,267	\$176,534	\$264,802	\$353,069	\$441,336	\$529,603	\$617,870	\$706,138	
3rd Co Locator		\$112,267	\$224,534	\$336,802	\$449,069	\$561,336	\$673,603	\$785,870	\$898,138	
4th Co Locator		\$136,267	\$272,534	\$408,802	\$545,069	\$681,336	\$817,603	\$953,870	\$1,090,138	
5th Co Locator		\$160,267	\$320,534	\$480,802	\$641,069	\$801,336	\$961,603	\$1,121,870	\$1,282,138	
Offer to Land Owner by Borrowing										
Amount	\$250,000	\$300,000	\$350,000	\$400,000	\$450,000	\$500,000				
Interest	6.00%	6.00%	6.00%	6.00%	6.00%	6.00%				
Term	7	7	7	7	7	7				
Principal & Interest	\$3,652	\$4,383	\$5,113	\$5,843	\$6,573	\$7,304				
Annual Cost	\$43,826	\$52,591	\$61,356	\$70,121	\$78,878	\$87,651				
Total Cost	\$306,780	\$368,136	\$429,491	\$490,847	\$552,149	\$613,560				

Negotiate all cash upfront offer for long term use of land
All offers should include an all cash payment, declining through the 7th year etc.
Purchase Bonds @ a discount offer face value to land owner
pledge bonds as collateral or exchange them to landowner

The use of the available cash created by this strategy is not factored
CPI not factored for the 5 & 7th years

Purchase 0 Coupon Bond @ 70 % Discount 80 % of face value of \$175,000= 140,000	\$250,000 \$140,000	Actual Cost to Company if bonds are purchased and borrowed against to pay all cash to land owner	
Payment to Land Owner in Cash or Stocks	\$110,000	Cost to Purchase Bond Principal & Interest Paid o	\$175,000 \$306,600
Mo. Cost to Amortize \$110,000 over 7 years @ 6% Interest	84 months	\$1,605 84 Total Cost of Transaction Value of Bond at Maturity	\$481,600 \$250,000
		\$134,820	
Mo. Cost to Amortize \$140,000 over 7 years @ 6% Interest	84 months	\$2,045 84 Actual Cost to Verizon for Borrowing the cash	\$231,600
Principal & Interest		\$171,780	

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Company's cash outlay over term of lease (3 % CPI Increases Included)											
Rent Reductions	Number of 15% Co-locators	Company Base Rent \$2,000	50 % of Co Locate Fee \$2,000	Landlord New Rent \$2,000	Annual	First 5 Yrs	Second 5 Yrs	Third 5 Yrs	Fourth 5 Yrs	Fifth 5 Yrs	Sixth 5 Yrs
\$300	\$0 1	\$1,700	\$1,000	\$2,700	\$32,400	\$186,300	\$214,245	\$246,382	\$283,339	\$325,840	\$374,716
\$255	\$0 2	\$1,445	\$1,000	\$3,445	\$41,340	\$237,705	\$273,361	\$314,365	\$361,520	\$415,748	\$478,110
\$217	\$0 3	\$1,228	\$1,000	\$4,228	\$50,739	\$291,749	\$335,512	\$385,638	\$443,714	\$510,271	\$586,812
\$184	\$0 4	\$1,044	\$1,000	\$5,044	\$60,528	\$348,037	\$400,242	\$460,279	\$529,321	\$608,719	\$700,026
\$157	\$0 5	\$887	\$1,000	\$5,887	\$70,649	\$406,231	\$467,166	\$537,241	\$617,827	\$710,501	\$817,076
\$133	\$0 6	\$754	\$1,000	\$6,754	\$81,052	\$466,047	\$535,954	\$616,347	\$708,799	\$815,118	\$937,386
			\$6,000								
Less Base Rent			\$754		Company's Annual Profit						
Company Monthly Profit			\$5,246		\$62,948	The Amount Company Paid Out Over					
		5 Yrs	10 Yrs	15 Yrs	20 Yrs	25 Yrs	30 Yrs				
Cummulative Cash	1	\$186,300	\$400,545	\$646,927	\$930,266	\$1,256,106	\$1,630,821				
Paid by Company	2	\$237,705	\$511,066	\$825,431	\$1,186,950	\$1,602,698	\$2,090,607				
	3	\$291,749	\$627,261	\$1,013,099	\$1,456,813	\$1,967,085	\$2,553,897				
	4	\$348,037	\$748,279	\$1,208,558	\$1,737,879	\$2,346,597	\$3,046,624				
	5	\$406,231	\$873,397	\$1,410,638	\$2,028,465	\$2,738,967	\$3,556,043				
	6	\$466,047	\$1,002,000	\$1,618,347	\$2,327,146	\$3,142,264	\$4,079,650				
Purchase 0 Coupon Bond @ 70 % Discount 80 % of face value of \$175,000= 140,000		\$250,000 Actual Cost to Company if bonds are purchased and borrowed against \$140,000 to pay all cash to land owner									
Payment to Land Owner in Cash or Stocks		\$110,000	Cost to Purchase Bond Principal & Interest Paid on Lo		\$175,000 \$306,600						
Mo. Cost to Amortize \$110,000 over 7 years @ 6% interest 84 months		\$1,605	\$84 Total Cost of Transaction Value of Bond at Maturity		\$481,600 \$250,000						
		\$134,820	Real Cost over 7 Years		\$231,600						
Mo. Cost to Amortize \$140,000 over 7 years @ 6% interest 84 months		\$2,045	\$84 Actual Cost to Company for Borrowing the cash								
Principal & Interest		\$171,780	Borrow cash and pay upfront Amortize @ 6 % for 7 Yrs		\$250,000						
			Real Cost over 7 Years		\$306,768						
Negotiate all cash upfront offer for long term use of land All offers should include an all cash payment, declining through the 7th year etc. Purchase Bonds @ a discount Pledge bonds as collateral or exchange them to landowner Exchange company shares in lieu of cash payment. Benefits Removed long term contingent liability for rent Wiped out long term drain on cash flow											
This method, using my numbers, if done at 1-8 sites would realize the following savings over thirty years, while not considering the benefit of the use of the cash not used to pay rent. CPI not factored for the 5 & 7th years											
Total Savings	1	\$1,403,721	\$3,034,543	\$4,665,364	\$6,296,186	\$7,927,007	\$9,557,829	\$11,188,650	\$12,819,472		
	2	\$1,853,707	\$3,934,515	\$6,015,322	\$8,096,130	\$10,176,937	\$12,257,744	\$14,338,552	\$16,419,359		
	3	\$2,326,797	\$4,880,693	\$7,434,590	\$9,988,486	\$12,542,383	\$15,096,280	\$17,650,176	\$20,204,073		
	4	\$2,819,524	\$5,866,147	\$8,912,771	\$11,959,395	\$15,006,018	\$18,052,642	\$21,099,266	\$24,145,889		
	5	\$3,328,943	\$6,884,986	\$10,441,029	\$13,997,071	\$17,553,114	\$21,109,157	\$24,665,200	\$28,221,243		
	6	\$3,852,550	\$7,932,201	\$12,011,851	\$16,091,501	\$20,171,152	\$24,250,802	\$28,330,452	\$32,410,103		
Annual Savings	1	\$46,791	\$101,151	\$155,512	\$209,873	\$264,234	\$318,594	\$372,955	\$427,316		
	2	\$61,790	\$131,150	\$200,511	\$269,871	\$339,231	\$408,591	\$477,952	\$547,312		
	3	\$77,560	\$162,690	\$247,820	\$332,950	\$418,079	\$503,209	\$588,339	\$673,469		
	4	\$93,984	\$195,538	\$297,092	\$398,646	\$500,201	\$601,755	\$703,309	\$804,863		
	5	\$110,965	\$229,500	\$348,034	\$466,569	\$585,104	\$703,639	\$822,173	\$940,708		
	6	\$128,418	\$264,407	\$400,395	\$536,383	\$672,372	\$808,360	\$944,348	\$1,080,337		

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